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THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURTUNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISIONTHOMAS G. BRUTON
CLERK, U.S. DISTRICT COURTShirley Dillard

(Name of the plaintiff or plaintiffs)

v.

City of ChicagoCHICAGO Department ofTRANSPORTATION

(Name of the defendant or defendants)

CIVIL ACTION

1:13-cv-06697

Judge Rebecca R. Pallmeyer

Magistrate Judge Geraldine Soat Brown

COMPLAINT OF EMPLOYMENT DISCRIMINATION

1. This is an action for employment discrimination.

2. The plaintiff is SHIRLEY Dillard of the
county of COOK in the state of ILLINOIS.3. The defendant is CITY OF CHICAGO, whosestreet address is 121 N. LA SALLE, Room 600,(city) CHICAGO (county) COOK (state) ILLINOIS (ZIP) 60602(Defendant's telephone number) (312) - 747-2210

4. The plaintiff sought employment or was employed by the defendant at (street address)

3458 S. LAUNDALE (city) CHICAGO(county) COOK (state) ILLINOIS (ZIP code) _____

5. The plaintiff [*check one box*]

- (a) ☐ was denied employment by the defendant.
- (b) ☒ was hired and is still employed by the defendant.
- (c) ☐ was employed but is no longer employed by the defendant.

6. The defendant discriminated against the plaintiff on or about, or beginning on or about,
(month) SEPTEMBER, (day) 14, (year) 2012.

7.1 (*Choose paragraph 7.1 or 7.2, do not complete both.*)

(a) The defendant is not a federal governmental agency, and the plaintiff [*check one box*] ☐ has not filed a charge or charges against the defendant ☒ has asserting the acts of discrimination indicated in this complaint with any of the following government agencies:

(i) ☒ the United States Equal Employment Opportunity Commission, on or about
(month) April (day) 26 (year) 2013.

(ii) ☐ the Illinois Department of Human Rights, on or about
(month) _____ (day) _____ (year) _____.

(b) If charges *were* filed with an agency indicated above, a copy of the charge is attached. ☒ YES. ☐ NO, but plaintiff will file a copy of the charge within 14 days.

It is the policy of both the Equal Employment Opportunity Commission and the Illinois Department of Human Rights to cross-file with the other agency all charges received. The plaintiff has no reason to believe that this policy was not followed in this case.

7.2 The defendant is a federal governmental agency, and

(a) the plaintiff previously filed a Complaint of Employment Discrimination with the defendant asserting the acts of discrimination indicated in this court complaint.

- ☐ Yes (month) _____ (day) _____ (year) _____
- ☐ No, did not file Complaint of Employment Discrimination
- (b) The plaintiff received a Final Agency Decision on (month) _____
(day) _____ (year) _____.
- (c) Attached is a copy of the
- (i) Complaint of Employment Discrimination,
☐ YES ☒ NO, but a copy will be filed within 14 days.
- (ii) Final Agency Decision
☐ YES ☐ NO, but a copy will be filed within 14 days.

8. (Complete paragraph 8 only if defendant is not a federal governmental agency.)

- (a) ☐ the United States Equal Employment Opportunity Commission has not issued a *Notice of Right to Sue*.
- (b) ☒ the United States Equal Employment Opportunity Commission has issued a *Notice of Right to Sue*, which was received by the plaintiff on
(month) 6 (day) 24 (year) 2013 a copy of which
Notice is attached to this complaint.

9. The defendant discriminated against the plaintiff because of the plaintiff's [**check only those that apply**]:

- (a) ☐ Age (Age Discrimination Employment Act).
- (b) ☐ Color (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).

- (c) ☒ Disability (Americans with Disabilities Act or Rehabilitation Act)
- (d) ☐ National Origin (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (e) ☐ Race (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (f) ☐ Religion (Title VII of the Civil Rights Act of 1964)
- (g) ☐ Sex (Title VII of the Civil Rights Act of 1964)
10. If the defendant is a state, county, municipal (city, town or village) or other local governmental agency, plaintiff further alleges discrimination on the basis of race, color, or national origin (42 U.S.C. § 1983).
11. Jurisdiction over the statutory violation alleged is conferred as follows: for Title VII claims by 28 U.S.C. §1331, 28 U.S.C. §1343(a)(3), and 42 U.S.C. §2000e-5(f)(3); for 42 U.S.C. §1981 and §1983 by 42 U.S.C. §1988; for the A.D.E.A. by 42 U.S.C. §12117; for the Rehabilitation Act, 29 U.S.C. § 791.
12. The defendant [*check only those that apply*]
- (a) ☐ failed to hire the plaintiff.
- (b) ☐ terminated the plaintiff's employment.
- (c) ☐ failed to promote the plaintiff.
- (d) ☐ failed to reasonably accommodate the plaintiff's religion.
- (e) ☒ failed to reasonably accommodate the plaintiff's disabilities.
- (f) ☐ failed to stop harassment;
- (g) ☒ retaliated against the plaintiff because the plaintiff did something to assert rights protected by the laws identified in paragraphs 9 and 10 above;
- (h) ☐ other (specify): _____
-

13. The facts supporting the plaintiff's claim of discrimination are as follows:

I was refused accommodations for my disability, while another employee's
with the same medical condition ~~was~~ ^{were} given accommodations.
Other employees at my place of employment were accommodated
for their restrictions. I was refused help by my supervisor.
My supervisor told the office intern not to help me and to
isolate me. She was INSTRUCTED to help the other employee's
in the OFFICE. My doctor's INSTRUCTIONS were ignored. (over)

14. [AGE DISCRIMINATION ONLY] Defendant knowingly, intentionally, and willfully discriminated against the plaintiff.

15. The plaintiff demands that the case be tried by a jury. ☐ YES ☐ NO

16. THEREFORE, the plaintiff asks that the court grant the following relief to the plaintiff
[check only those that apply]

- (a) ☐ Direct the defendant to hire the plaintiff.
- (b) ☐ Direct the defendant to re-employ the plaintiff.
- (c) ☐ Direct the defendant to promote the plaintiff.
- (d) ☐ Direct the defendant to reasonably accommodate the plaintiff's religion.
- (e) ☒ Direct the defendant to reasonably accommodate the plaintiff's disabilities.
- (f) ☐ Direct the defendant to (specify): TO TRANSFER PLAINTIFF back

to Traffic Signal Repair at 2441 ASHLAND.

13, My union rights were ignored. Commissioner Chenks
refused to meet with union representatives.

I was threaten with having my position
re-evaluated if my doctor said I had restrictions,
being suspended if I refused to do the work.

13. My union rights were ignored. Commissioner ~~Chenks~~ refused to meet with union representatives.

I was threaten with having my position re-evaluated if my doctor said I had restrictions, being suspended if I refused to do the work.

(g) ☒ If available, grant the plaintiff appropriate injunctive relief, lost wages, liquidated/double damages, front pay, compensatory damages, punitive damages, prejudgment interest, post-judgment interest, and costs, including reasonable attorney fees and expert witness fees.

(h) ☒ Grant such other relief as the Court may find appropriate.

(Plaintiff's signature)

Shirley Dillard

(Plaintiff's name)

SHIRLEY Dillard

(Plaintiff's street address)

300 W. Hill St

Apt 214

(City) CHICAGO (State) IL (ZIP) 60610

(Plaintiff's telephone number) (312) - 643-0224 (Home)
312 772-7002 (Cell)

Date: 9.17.2013 9/18/2013

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

☐ FEPA
☒ EEOC

440-2013-03208**Illinois Department Of Human Rights**

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

Ms. Shirley A. Dillard

Home Phone (Incl. Area Code)

(312) 772-7002

Date of Birth

03-24-1949

Street Address

City, State and ZIP Code

300 W. Hill St. #214, Chicago, IL 60610

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

CHICAGO DEPARTMENT OF TRANSPORTATION

No. Employees, Members

500 or More

Phone No. (Include Area Code)

(312) 747-2210

Street Address

City, State and ZIP Code

3458 S Lawndale, Chicago, IL 60623

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☐ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☒ RETALIATION ☐ AGE ☒ DISABILITY ☐ GENETIC INFORMATION
☐ OTHER (Specify)

DATE(S) DISCRIMINATION TOOK PLACE
Earliest Latest**03-07-2013**☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)).

I began my employment with Respondent in or around September 1990. My most recent position was Administrative Assistant III. During my employment I filed a lawsuit against Respondent, claiming disability discrimination. I requested accommodations to no avail. Subsequently, I was constructively discharged.

I believe that I have been discriminated against because of my disability, and in retaliation for engaging in protected activity, violation of the Americans with Disabilities Act of 1990, as amended.

RECEIVED

APR 26 2013

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.
 SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
 (month, day, year)

Apr 26, 2013

Date

Charging Party Signature



U.S. Department of Justice

Civil Rights Division

NOTICE OF RIGHT TO SUE
WITHIN 90 DAYS

CERTIFIED MAIL
2019 5004

950 Pennsylvania Avenue, N.W.
Karen Ferguson, EMP, PHB, Room 4239
Washington, DC 20530

June 19, 2013

Ms. Shirley A. Dillard
300 West Hill St.
Apt. #214
Chicago, IL 60610

Re: EEOC Charge Against Chicago Department of Transportation
No. 440201303208

Dear Ms. Dillard:

Because you filed the above charge with the Equal Employment Opportunity Commission, and the Commission has determined that it will not be able to investigate and conciliate that charge within 180 days of the date the Commission assumed jurisdiction over the charge and the Department has determined that it will not file any lawsuit(s) based thereon within that time, and because you have specifically requested this Notice, you are hereby notified that you have the right to institute a civil action against the above-named respondent under:

Title I of the Americans with Disabilities Act of 1990,
42 U.S.C. 12111, et seq., and,
Title V, Section 503 of the Act, 42 U.S.C. 12203.

If you choose to commence a civil action, such suit must be filed in the appropriate Court within 90 days of your receipt of this Notice. If you cannot afford or are unable to retain an attorney to represent you, the Court may, at its discretion, assist you in obtaining an attorney. If you plan to ask the Court to help you find an attorney, you must make this request of the Court in the form and manner it requires. Your request to the Court should be made well before the end of the time period mentioned above. A request for representation does not relieve you of the obligation to file suit within this 90-day period.

The investigative file pertaining to your case is located in the EEOC Chicago District Office, Chicago, IL.

This Notice should not be taken to mean that the Department of Justice has made a judgment as to whether or not your case is meritorious.

Sincerely,

Thomas E. Perez
Assistant Attorney General
Civil Rights Division

by

Karen L. Ferguson
Karen L. Ferguson
Supervisory Civil Rights Analyst
Employment Litigation Section

cc: Chicago District Office, EEOC
Chicago Department of Transportation

LAF

3/2 341- 10 TO

Keep full out

Paperwork